

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

SANDRA BARBOSA and ALESSANDRO)
COSTA,)
Plaintiffs,)
v.) Case No. 10-cv-11401-JLT
DEUTSCHE BANK NATIONAL TRUST)
COMPANY AS TRUSTEE FOR GSAMP)
2006-FM1,)
Defendant.)

)

JOINT MOTION FOR SETTLEMENT ORDER OF DISMISSAL

The Parties in the above-captioned matter, hereby jointly move this Court for an Order dismissing the current litigation. As the parties have agreed in principal to a modification of Plaintiff's mortgage loan, the parties jointly request that the Order of Dismissal contain a specific order rescinding the April 26, 2010 foreclosure sale conducted by Defendant on a piece of real property located at 165 Graves Road in Revere, Massachusetts. Said rescission order will allow the Plaintiff's mortgage note to be considered for modification and will allow the Plaintiff's to remain in their home at 165 Graves Road in Revere, Massachusetts. Similarly, the Parties request that the Court allow either party to reopen the case within six (6) months should a loan modification not be consummated between the parties.

The parties have attached hereto as Exhibit A a Proposed Order for the Court's consideration. The parties are available for a hearing on this matter should the Court so require.

WHEREFORE, for the reasons set forth above, the Parties hereby jointly request that the Court enter an Order of Dismissal which rescinds Defendant's foreclosure sale upon 165 Graves Road in Revere, Massachusetts and dismisses this current litigation.

Respectfully submitted,

PLAINTIFFS,
By their attorney,

DEFENDANT,
By its attorney,

/s/ Daniel S. Hyman

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Dated: March 18, 2011.

/s/ Morgan T. Nickerson

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Dated: March 18, 2011.

CERTIFICATE OF SERVICE

I, Morgan T. Nickerson, hereby certify that this document filed through the ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF) and paper copies will be sent to those indicated as non-registered participants on this date.

Dated: March 18, 2011

/s/ Morgan T. Nickerson
Morgan T. Nickerson